

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JENNIFER BUTLER,

Plaintiff,

v.

**GILLIS HAMMETT, in his individual and
official capacities, et al.**

Defendants.

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4:09cv402

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 17, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Tammy Weppelman's Motion for Summary Judgment (Dkt. 70) be GRANTED, that Defendant Tammy Weppelman's Motion for Sanctions Under 28 U.S.C. §1927 or, In the Alternative, Under the Court's Inherent Power (Dkt. 91) be GRANTED, that Defendant Tammy Weppelman's Supplement to her Motion for Sanctions (Dkt. 102) be DENIED, that Plaintiff take nothing by her claims here, and that Plaintiff's counsel be required to pay Defendant in the amount of \$3,127.31 upon entry of final judgment as sanctions for the conduct relating to Plaintiff's mediation.


The court, having made a *de novo* review of the objections raised by Plaintiff as well as Defendant's response, is of the opinion that the findings and conclusions of the Magistrate Judge are

correct, and the objections of Plaintiff are without merit as to the ultimate recommendations. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Defendant Tammy Weppelman's Motion for Summary Judgment (Dkt. 70) is GRANTED, Defendant Tammy Weppelman's Motion for Sanctions Under 28 U.S.C. §1927 or, In the Alternative, Under the Court's Inherent Power (Dkt. 91) is GRANTED, Defendant Tammy Weppelman's Supplement to her Motion for Sanctions (Dkt. 102) is DENIED, Plaintiff shall take nothing by her claims here, and Plaintiff's counsel shall be required to pay Defendant in the amount of \$3,127.31 upon entry of final judgment as sanctions for the conduct relating to Plaintiff's mediation.

IT IS SO ORDERED.

SIGNED this the 29th day of March, 2012.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE